

Message

From: Frank C. Pavia [fpavia@HarrisBeach.com]
Sent: 10/20/2022 4:55:16 PM
To: Sacks, Victoria [Sacks.Victoria@epa.gov]; Putnam, Lauren [lauren.putnam@arcadis.com]; Gravelding, Mark [Mark.Gravelding@arcadis.com]
CC: Singerman, Joel [Singerman.Joel@epa.gov]; Luo, Jacky X (DEC) [jacky.luo@dec.ny.gov]; Jason Pelton [jason.pelton@dec.ny.gov]; Ludmer, Margo [ludmer.margo@epa.gov]; Kevin Murphy [KMurphy@WladisLawFirm.Com]; Joseph A. Gregg [jagregg@eastmansmith.com]; Benjamin Yaus [BenjaminYaus@ongov.net]; Nick Paro [nparo@salina.ny.us]; Christopher A. Burns Ph. D P. G. (CBurns@chacompanies.com) [cburns@chacompanies.com]
Subject: RE: Local Disposal Assessment and Agreement

Victoria,

On behalf of the Town of Salina, I would like to clarify exactly what our client has received regarding NYSDEC's decision on the change of use process for the proposed local disposal.

On Tuesday, my office received a confirmation from Margaret Sheen, DEC Regional Counsel for Region 7, that NYSDEC has agreed the Town may proceed pursuant to 6 NYCRR Part 375 with a change of use application seeking approval for local disposal at the closed landfill site for sediment coming from the Lower Ley Creek subsite. As you know, it is only after the Town completes that process will it receive an official decision from NYSDEC on whether it may proceed with local disposal.

The Town will be meeting with its engineers to discuss how best to proceed with the change of use process. Afterwards, we will be presenting to the PRP group the Town's decision on its approach, and seek from the group any appropriate input.

We anticipate that the entire change of use process will take 90-120 days to receive final approval from DEC.

Frank

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From: Sacks, Victoria <Sacks.Victoria@epa.gov>
Sent: Thursday, October 20, 2022 11:10 AM
To: Putnam, Lauren <lauren.putnam@arcadis.com>; Gravelding, Mark <Mark.Gravelding@arcadis.com>
Cc: Singerman, Joel <Singerman.Joel@epa.gov>; Luo, Jacky X (DEC) <jacky.luo@dec.ny.gov>; Jason Pelton

<jason.pelton@dec.ny.gov>; Ludmer, Margo <ludmer.margo@epa.gov>; Frank C. Pavia <fpavia@HarrisBeach.com>; Kevin Murphy <KMurphy@WladisLawFirm.Com>; Joseph A. Gregg <jagregg@eastmansmith.com>; Benjamin Yaus <BenjaminYaus@ongov.net>

Subject: Local Disposal Assessment and Agreement

Dear Arcadis on behalf of the respondents to the Administrative Order on Consent for Remedial Design at Lower Ley Creek,

I am writing to follow up on our discussions regarding local disposal. We have spoken to the state and it has been decided that the Town of Salina Landfill may be used as a local disposal location for Lower Ley Creek. In order to move forward with this disposal alternative, the Town would need to submit a change of use, RAWP, and other engineering documentation that would follow the site management plan.

With this determination, please proceed with updating the Local Disposal Assessment report that we spoke about a number of months ago. As discussed, the Local Disposal Agreement will need to be in place in advance of the Intermediate (60%) Remedial Design submittal.

Feel free to reach out with any questions.

Regards,

Victoria Sacks

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